

## **REMARKS**

### **I. Introduction**

With the cancellation herein without prejudice of claims 9 and 10, claims 8 and 11 to 13 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants note with appreciation the acknowledgment of the claim for foreign priority and the indication that all certified copies of the priority documents have been received.

Applicants thank the Examiner for considering the previously filed Information Disclosure Statement, PTO-1449 paper and cited references.

### **II. Rejection of Claims 8 to 13 Under 35 U.S.C. § 112, Second Paragraph**

Claims 8 to 13 were rejected under 35 U.S.C. § 112, second paragraph as indefinite. While Applicants do not necessarily agree with the merits of these rejections, to facilitate matters, claim 8 has been amended herein without prejudice to change “the electric current” to --electric current-- and to change “the heating element” to --the embedded heating element--. Accordingly, withdrawal of this rejection is respectfully requested.

### **III. Rejection of Claims 8, 10, and 11 Under 35 U.S.C. § 102(b)**

Claims 8, 10, and 11 were rejected under 35 U.S.C. § 102(b) as anticipated by European Patent Application Publication No. 0 798 515 (“Rossi”). It is respectfully submitted that Rossi does not anticipate the present claims for at least the following reasons.

As an initial matter, claim 10 has been canceled herein without prejudice – its subject matter incorporated into claim 8 - thereby rendering moot the present rejection with regards to claim 10.

Claim 8, as amended, describes a sheathed-element glow plug for an internal combustion engine, including, *inter alia*, a plug housing, a connection part for electrical current which is situated on the plug housing, a tube having an embedded heating element, the connection part and the embedded heating element being electrically coupled via a terminal pin and a contact element, wherein the terminal pin

and the contact element are at least partially surrounded within the housing by an electrically insulating plastic sleeve, wherein a sheathing of the contact element is completely surrounded by the plastic sleeve, the plastic sleeve having elastic properties and resting against an interior wall of the housing as a clamping sleeve. Support for this amendment may be found, for example, in claims 9 and 10 as originally presented, as well as page 4, lines 18 to 20, of the specification.

Rossi does not disclose, or even suggest, that a contact element is provided **between** the terminal pin and the heating element. Rossi describes an incandescent heater plug having an annular insulating element, threaded projection, and metal shaft. According to Rossi, the terminal pin is contacted **directly** by the heating element.

Further, the plastic sleeve described by Rossi merely has the function of electrically insulating from the housing **only** the **terminal pin** protruding from the housing. The plastic sleeve is **not** used to brace an additional **contact element** between the terminal pin and the heating element in the housing.

In contrast, the plastic sleeve of the present application has the function of electrically insulating the contact element and the terminal pin from the housing, **and** at the same time, by resting against the interior wall of the housing, acting as a clamping element for the contact element.

As such, it is respectfully submitted that Rossi does not disclose, or even suggest, all of the features included in claim 8. Consequently, it is respectfully submitted that Rossi does not anticipate claim 8, or claim 11, which depends from claim 8.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

#### **IV. Rejection of Claims 9, 12, and 13 Under 35 U.S.C. § 103(a)**

Claims 9, 12, and 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Rossi and U.S. Patent No. 6,759,631 ("Geissinger et al."). It is respectfully submitted that the combination of Rossi and Geissinger et al. does not render unpatentable these claims for at least the following reasons.

As an initial matter, claim 9 has been canceled herein without prejudice – its subject matter incorporated into claim 8 - thereby rendering moot the present rejection with regards to claim 9.

Claims 12 and 13 depend from claim 8 and therefore include all of the features included in claim 8. As more fully set forth above, Rossi does not disclose, or even suggest, all of the features included in claim 8. Geissinger et al. is not relied upon for disclosing or suggesting the features of claim 8 not disclosed or suggested by Rossi. Indeed, it is respectfully submitted that Geissinger et al. do not disclose, or even suggest, the features included in claim 8 not disclosed or suggested by Rossi. For example, the insulating clamping sleeve of Geissinger et al. is not a plastic sleeve, but an electrically insulating sleeve of ceramic. Further, Geissinger et al. do not disclose a sleeve having elastic properties, or a sleeve that rests against the interior wall of the housing, in order to act as a clamping sleeve for the contact element in the housing. Thus, one skilled in the art would not replace the ceramic clamping element of Geissinger et al. with the plastic sleeve from Rossi. As such, it is respectfully submitted that the combination of Rossi and Geissinger et al. does not render unpatentable claims 12 and 13, which depend from claim 8.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

## **V. Conclusion**

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

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Respectfully submitted,  
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